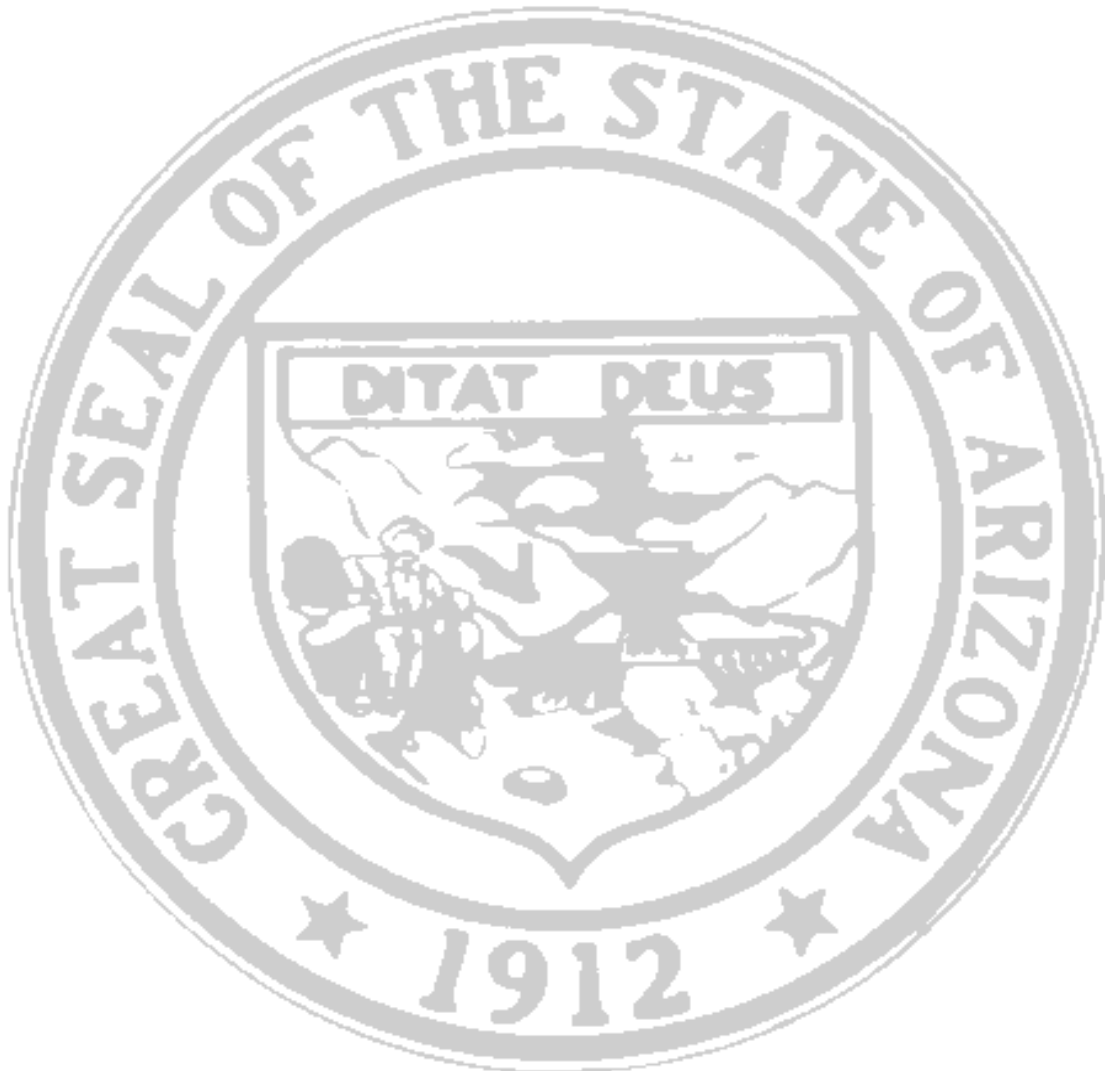


# **SUPERIOR COURT OF ARIZONA IN**



**FISCAL YEAR 2001**

*July 1, 2000 – June 30, 2001*

**Office of the Presiding Judge  
Office of the Court Administrator**

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# **Superior Court of Arizona In Maricopa County**

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On behalf of the judges, commissioners, and court staff of the Superior Court of Arizona in Maricopa County, it is our pleasure to present the Fiscal Year 2001 Annual Statistical Report. The citizens of Maricopa County are indeed fortunate to have so many dedicated judicial officers and staff working daily to efficiently provide critical court services to the public. This Report reflects information about continuing efforts in well established services and programs, as well as newly developed projects, designed to better serve the justice needs of Maricopa County citizens.

Maricopa County continues to grow significantly in population each year, and is now the fourth most populous county in the United States. Between 1990 and 2000, the region grew by almost one million persons, and there are now 3.1 million people who call Maricopa County home. This rapid population growth exerts tremendous pressure on the Superior Court to effectively deliver services to the public. Although new civil case filings decreased significantly from the previous fiscal year (due in part to changes in legislation), new filings in the Criminal and Family Court Departments increased by well-over 7 percent, which forces the Court to experiment with innovative case processing techniques to keep up with increasing demand.

The subsequent pages of this report provide a more detailed analysis of the many Superior Court departments and programs. The Court would like to acknowledge and thank the Board of Supervisors, the Arizona Supreme Court, and the Arizona State Legislature for their continued support and funding. Comments and suggestions regarding Court programs and statistical reporting are most welcome.

Respectfully Submitted,

Colin F. Campbell  
Presiding Judge

Gordon M. Griller  
Court Administrator

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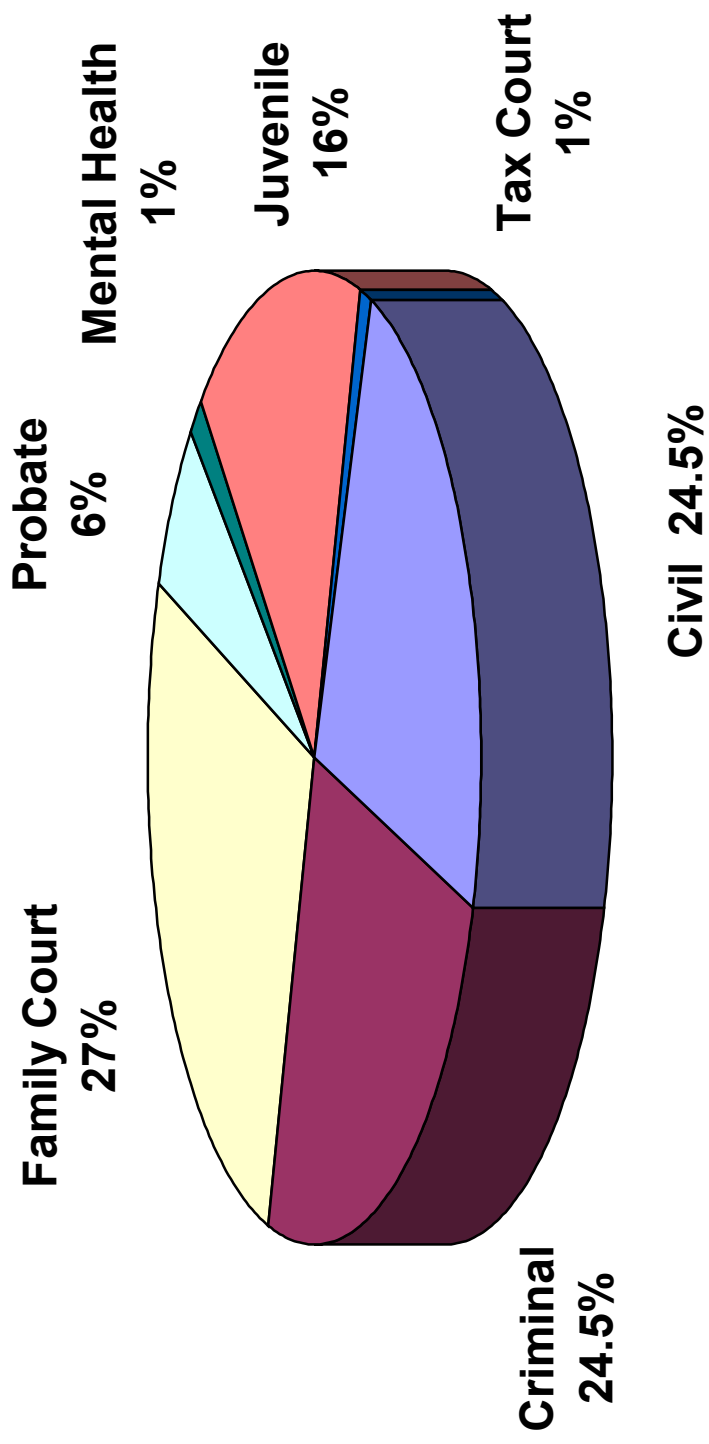
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# *Superior Court of Arizona in Maricopa County*

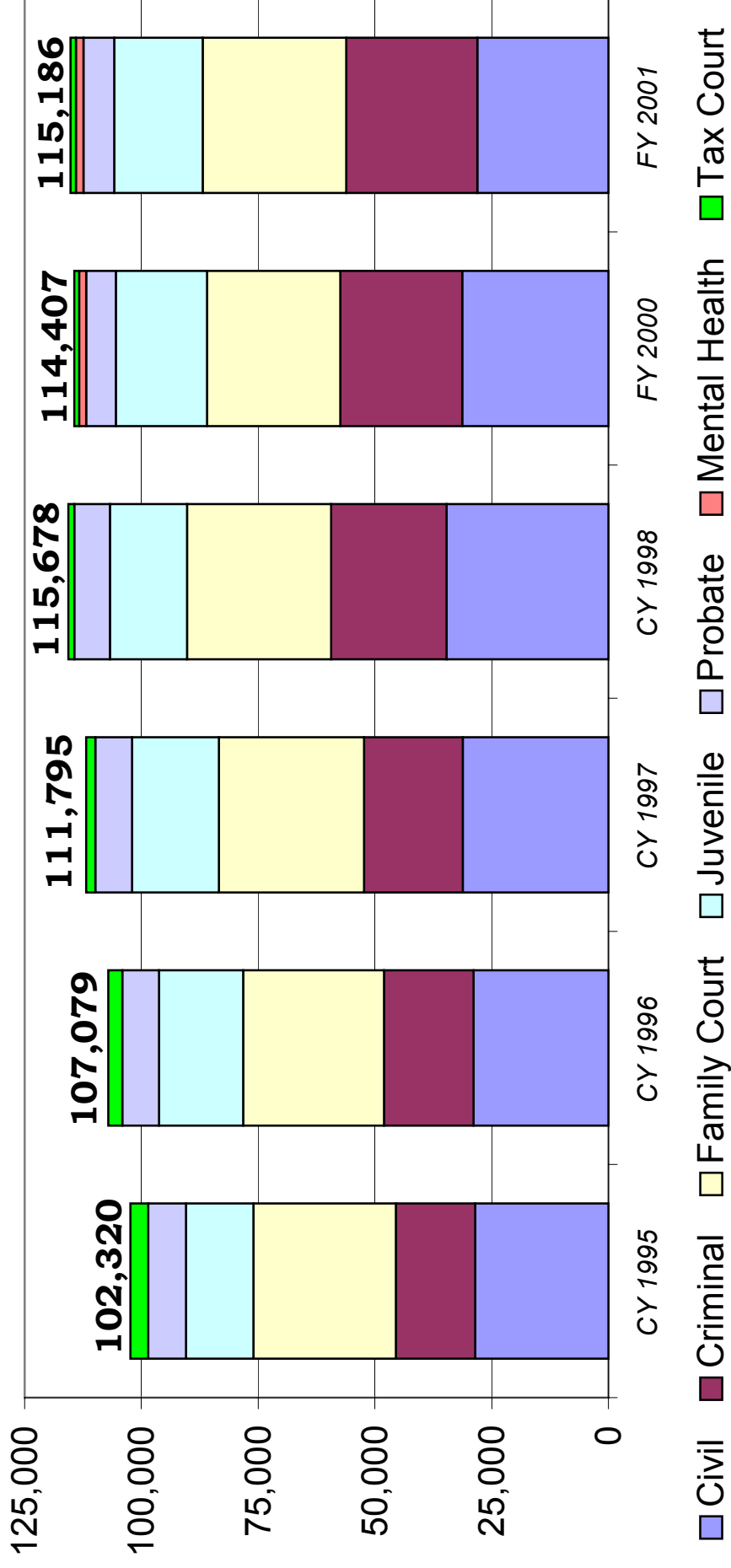
Filing by Department, FY 2001

**Total Filings = 115,186**



# *Superior Court of Arizona in Maricopa County*

Case Filings by Department, CY 1995 – 1998 and FY 2000 -2001



## ***Superior Court of Arizona in Maricopa County***

### **Total Annual Case Filings by Department, CY 1995 – 1998 and FY 2000 -2001**

<u><b>COURT DEPARTMENT</b></u>	<u><b>CY 1995</b></u>	<u><b>%</b></u>	<u><b>CY 1996</b></u>	<u><b>%</b></u>	<u><b>CY 1997</b></u>	<u><b>%</b></u>	<u><b>CY 1998</b></u>	<u><b>%</b></u>	<u><b>FY2000</b></u>	<u><b>%</b></u>	<u><b>FY 2001</b></u>	<u><b>%</b></u>
Civil	28, 591	27.9%	28,880	27.0%	31,158	27.9%	34,621	29.9%	31,258	27.3%	28,052	24.4%
Criminal	16,921	16.5%	19,203	17.9%	21,207	19.0%	24,708	21.4%	26,184	22.9%	28,106	24.4%
Family Court	30,501	29.8%	30,097	28.1%	31,050	27.8%	30,882	26.7%	28,551	25.0%	30,695	26.6%
Juvenile	14,481	14.2%	18,094	16.9%	18,610	16.6%	16,485	14.2%	19,439	17.0%	18,984	16.5%
Probate <sup>1</sup>	8,004	7.8%	7,871	7.4%	7,877	7.0%	7,630	6.6%	6,414	5.6%	6,569	5.7%
Mental Health									1,518	1.3%	1,640	1.4%
Tax Court	3,831	3.7%	2,934	2.7%	1,893	1.7%	1,352	1.2%	1,043	0.9%	1,140	1.0%
<b>Annual Totals</b>	<b>102,320</b>	<b>100%</b>	<b>107,079</b>	<b>100 %</b>	<b>111,795</b>	<b>100%</b>	<b>115,678</b>	<b>100%</b>	<b>114,407</b>	<b>100%</b>	<b>115,186</b>	<b>100%</b>

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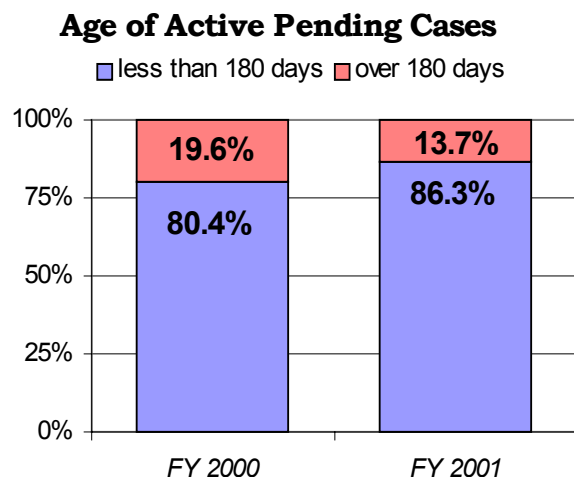
<sup>1</sup> Prior to Fiscal Year 2000, Probate and Mental Health case filings were reported together.

NOTE: Prior to FY 2000, the Superior Court reported in a calendar year (January – December) format. Therefore, the FY 2000 Annual Report includes an addendum with statistical totals from January, 1999 through June, 1999.

## CRIMINAL

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The Criminal Department of Superior Court continued to experience substantial growth in new felony case filings in fiscal year 2001. However, through innovative efforts within the department, the 7 percent increase in new case filings from the previous year was surpassed by a corresponding 20 percent increase in criminal case terminations. This positive net effect on backlog reduction efforts saw the active pending case inventory reduced by over 1,000 felony cases (from 8,661 to 7,655). Through further restructuring in downtown Phoenix and Mesa, the Court was able to replace Criminal Department commissioners with judges and add judicial officers, allowing the department to grow from 24 to 29 judges. In addition, three Special Assignment Department judges continue to work exclusively in the Criminal Case Backlog Reduction Program. The Southeast (Mesa) Facility now has a total of 7 Criminal Department judges, with the remaining 22 assigned to downtown Phoenix calendars.



Case processing times also experienced some substantial improvements during the fiscal year. As the total inventory of active pending cases declined, the age of the active case inventory was also reduced (nearly 6 percent department-wide). By year's end, every Criminal Department division had over 80 percent of their active cases at 150 days or less in case age, and only 5 percent of all active cases exceeded one year in age.

The Superior Court's interim goals for case processing are:

- 90 percent of all cases resolved within 150 days of case filing, and
- 98 percent resolved within one year.

***Motion to Continue Panel.*** In July 2000 the Court established a Motion to Continue Panel consisting of a group of judges different from judges assigned to hearing trials. The Panel hears all motions for continuance of over five days, as well as motions requested after the first granted continuance. Although the panel granted over 85 percent of the more than 1,600 continuances requested during the fiscal year, approximately 40 percent of those granted were for less than 20 days, which helped ensure trial certainty.

***Regional Court Center (RCC).*** Opening in February, 2001 at the downtown Phoenix Court Complex, the RCC is designed to streamline criminal cases handled by Maricopa County's justice courts. The RCC provides a single location for processing preliminary hearings, pleas, and most felony arraignments. Originally opening with cases from three local justice courts, a fourth court was added by year's end and plans call for two additional courts in early FY 2002. Two additional regional RCCs will begin operation in the fall of 2001, allowing all 23 justice courts to eventually process felony cases through an RCC. The 860 arraignments completed fiscal year-end resulted in substantial savings to the County in defendant jail days and transportation.

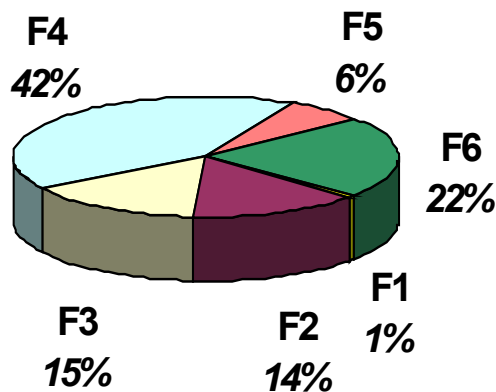
## CRIMINAL

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**Initial Appearance Court (I.A.).** The I.A. Court, which implemented continuous 24-hour/7 days per week coverage in April 2000, is now staffed with full time Superior Court Hearing Officers as opposed to pro tems. Over 71,000 arrestees were processed through the I.A. Court in FY 2001, which is a 12 percent increase over last year.

### ***FY 2001 Filings by Felony***

**Total = 28,106**



### ***Early Disposition Court (EDC).***

The Early Disposition Court, which was started in November 1997 with a design to process drug cases more quickly and provide a more streamlined route from arrest to treatment, continues to process a growing number of court cases. Felony 4 and Felony 6 drug-possession cases fuel the EDC, which now also handles welfare fraud cases. In FY 2001, over 6,000 cases were resolved in EDC; many in one court hearing. The average time required to resolve a case in EDC was only 18 days during the fiscal year, as opposed to 100 days for other types of felony cases. An EDC also began operation in the Southeast Court facility during the year.

**Manager Judge Program.** As part of continuing efforts within the Criminal Department to improve criminal case processing and reduce delay in the courthouse, a Quad Manager Judge Program was implemented in March, 2001. Previously, a court commissioner was assigned to each quad group of 3-4 judges. It was the commissioner's responsibility to conduct preliminary types of court hearings, such as plea arraignments, changes of plea, and initial pretrial conferences. It was envisioned that replacing court commissioners with Criminal Department Judges could more effectively resolve cases much earlier in the process through more actively managing issues at earlier stages. The Program is designed to provide trial divisions more time to devote to substantive case issues and to resolve cases in a much more timely manner. Currently, there are a total six trial division quads (four in Downtown Phoenix and two at Southeast).



# CRIMINAL

## Criminal Department Selected Operational Statistics, FY 2000 – FY 2001

	<i>FY 2000</i> <u>Totals</u>	<i>FY 2001</i> <u>Totals</u>	<i>FY 2000 - FY 2001</i> <u>% Change</u>
Total Case Filings	26,184	<b>28,106</b>	7.3%
Total Terminations	22,576	<b>27,111</b>	20.1%
Clearance Rate <sup>1</sup>	86.2%	<b>96.5%</b>	10.3%
Active Pending Caseload	8,661	<b>7,655</b>	-11.6%
Total Trials Completed	777	<b>825</b>	6.2%
Trial Rate <sup>2</sup>	3.0%	<b>2.9%</b>	-0.1%
Defendants Sentenced	18,702	<b>22,938</b>	22.6%
Acquitted/Dismissed	3,698	<b>4,101</b>	10.9%
Guilty Plea Arraignments	6,974	<b>6,246</b>	-10.4%
Notices of Change of Judge	1,022	<b>1,039</b>	1.7%
Settlement Conferences Held	1,797	<b>1,817</b>	1.1%
Successful Settlements	943	<b>1,138</b>	20.7%
Lower Court Appeals Filed <sup>4</sup>	1,200	<b>2,509</b>	109.1%
Bond Forfeiture Hearings	970	<b>927</b>	-4.4%
Amount of Bonds Forfeited	\$2,657,632	<b>\$2,064,161</b>	-22.3%

### Case Aging Statistics (in days)<sup>3</sup> for Terminated Criminal Cases

50 <sup>th</sup> Percentile	96	<b>100</b>	4.2%
90 <sup>th</sup> Percentile	282	<b>276</b>	-2.1%
98 <sup>th</sup> Percentile	596	<b>623</b>	4.5%
99 <sup>th</sup> Percentile	765	<b>705</b>	-7.8%

<sup>1</sup> Clearance rate equals total terminations divided by total case filings.

<sup>2</sup> Trial rate equals total trials completed divided by total case filings.

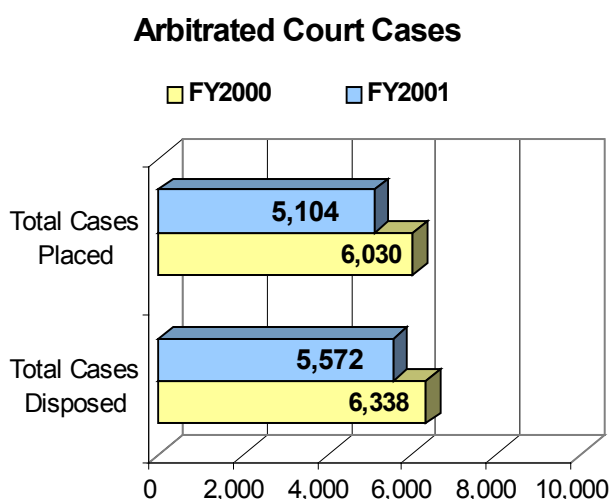
<sup>3</sup> Case aging days are computed from Filing Date in Superior Court to Termination, which includes days to sentencing for guilty defendants. In addition, case aging days include all elapsed calendar time except days out on bench warrants, Rule 11 competency treatments, adult diversion programs, and appeals pending in a higher court.

<sup>4</sup> Lower Court Appeals filed in FY 2001 include approximately 1,400 "ADAMS" DUI cases filed in July, 2000 and resolved in May, 2001.

# CIVIL

FY 2001 was a very challenging year in the Civil Department. In response to the rapidly increasing demands placed on Criminal Department judges by the combination of escalating new felony filings and a backlog of older criminal cases, the Court undertook aggressive efforts to increase trial certainty by enforcing firm trial dates in the Criminal Department. Increasing trial certainty required Civil Department judges to act as overflow back-up to the Criminal Department by mandating, through administrative order, that criminal trials would take precedent over civil trials whenever all Criminal Department judges were in trial. By late spring, it was decided that a “fire brigade” of five civil judges would rotate these back-up responsibilities each week. At fiscal year end, Civil Department judges were completing approximately 20 percent of all criminal trials, which greatly increased trial certainty and helped reduce criminal case delay.

Although Civil Department judges performed considerable work on criminal felony cases during the year, a substantially lower number of new civil case filings allowed civil judges to terminate over 16 percent more cases than were filed. In fact, for the fiscal year, case terminations were nearly 19 percent greater than last year. Arbitration continues to provide a very viable civil case processing alternative. During FY 2001, over 5,500 cases were resolved through arbitration.



## Selected Civil Department Operational Statistics, FY 2000 - FY 2001

	New Case Filings			Case Terminations		
	<u>FY 2000</u>	<u>FY 2001</u>	<u>% change 2000 to 2001</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>% change 2000 to 2001</u>
Tort Motor Vehicle	5,796	5,399	-6.8%	6,120	5,640	-7.8%
Tort Non-Motor Vehicle	2,279	2,327	2.1%	2,175	2,271	4.4%
Medical Malpractice	391	447	14.3%	410	365	-11.0%
Contract	9,729	8,274	-15.0%	9,082	8,657	-4.7%
Tax	16	27	68.8%	28	30	7.1%
Eminent Domain	325	243	-25.2%	224	281	25.4%
Lower Court Appeals	590	439	-25.6%	411	441	7.3%
Unclassified Civil	12,132	10,896	-10.2%	9,166	15,077	64.5%
<b>TOTALS</b>	31,258	28,052	-10.3%	27,616	32,762	18.6%

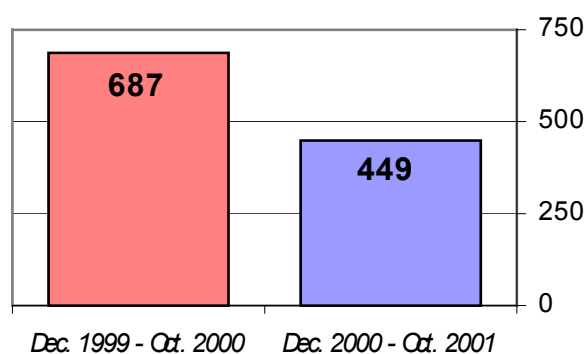
## ***CIVIL***

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During FY 2001 there were two noteworthy changes in the Arizona Rules of Civil Procedure affecting arbitration. Effective December 1, 2000, Rule 72(d) was changed to provide that the court shall waive compulsory arbitration if the parties file a written stipulation to participate in an alternative dispute resolution proceeding and the court approves the method selected by the parties. Also effective December 1, 2000, Rule 76 (f) was amended to provide that the party appealing an arbitrator's award would be refunded his deposit only if the judgment in a trial de novo is at least 25 percent more favorable than the original award. The prior standard was a judgment at least 10 percent more favorable than the award.

Both of these rule changes carried the potential of reducing the number of cases placed in arbitration and reducing the number of arbitration awards appealed. A comparison between the periods of December, 1999 through October, 2000 with December, 2000 through October, 2001 shows overall civil filings declining by 7.2 percent. By contrast, the number of cases placed in arbitration declined by 9.7 percent and the number of arbitration appeals declined by 34.6 percent.

### **Arbitration Appeals Filed**



## ***TAX COURT***

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Arizona Tax Court filings for FY 2001 were nearly 10 percent higher than one year ago. In addition, 930 (or 81 percent of the total new filings) were Maricopa County cases.

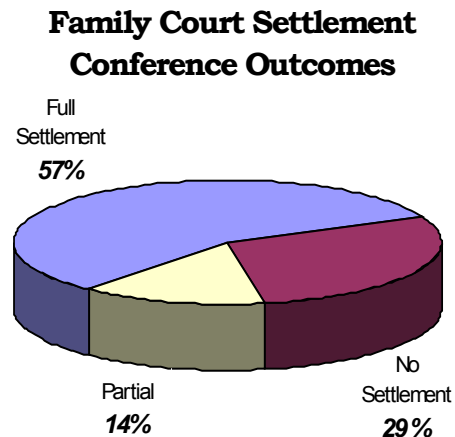
### **Tax Court Selected Operational Statistics, FY 2000 – FY 2001**

	New Case Filings		% change 2000 to 2001	Case Terminations		% change 2000 to 2001
	<u>FY 2000</u>	<u>FY 2001</u>		<u>FY 2000</u>	<u>FY 2001</u>	
<b>Cases of Record</b>						
Property	325	289	-11.1%	382	269	-29.6%
Other	330	455	37.9%	343	469	36.7%
<b>Small Claims</b>						
Property	387	397	2.6%	439	349	-20.5%
Other	<u>1</u>	<u>1</u>	0.0%	<u>2</u>	<u>-1</u>	-150.0%
<b>TOTALS</b>	1,043	1,142	9.5%	1,166	1,086	-6.9%

# ***ALTERNATIVE DISPUTE RESOLUTION***

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Alternative Dispute Resolution (ADR) provides litigants in Maricopa County with a very useful alternative to formal court litigation. Both in Superior Court and in the Justice Courts of Maricopa County, ADR is often viewed as a more timely and satisfactory alternative for resolving legal issues. In FY 2001, the Justice Court Mediation Program expanded to a total of eleven of the 23 courts of limited jurisdiction. Community volunteers were trained by ADR staff in a 40 hour program on basic mediation skills.



Justice Court mediators were assigned an average of 220 cases per month in FY 2001, requiring approximately 8,000 volunteer hours. Nearly 75 percent of cases assigned to mediation were resolved in the process. Approximately four hundred volunteers rotate Justice Court mediation assignments. ADR offered continuing education programs for mediators throughout the year and coordinated mediation services with Arizona State University College of Law Lodestar Mediation Clinic.

In addition to the Justice Court Mediation Program, there are four Superior Court ADR programs actively operating: Civil Settlement Conference, Family Court Settlement Conference, Civil Shorttrial, and Probate Mediation. Currently, ADR is developing policies and procedures for its newest initiative, the Workplace Mediation Program.

## ***Civil Settlement Conference.***

In the Civil Department, ADR coordinated appointment of judges *pro tempore*, who volunteer to conduct settlement conferences. The department processed approximately 50-60 civil settlement conference requests each month. For the year, approximately 48 percent of reported cases reach either full settlement or partial settlement. However, a significant number of settlement outcomes currently go unreported. The program used approximately 320 volunteer hours for the fiscal year.

## ***Family Court Settlement Conference.***

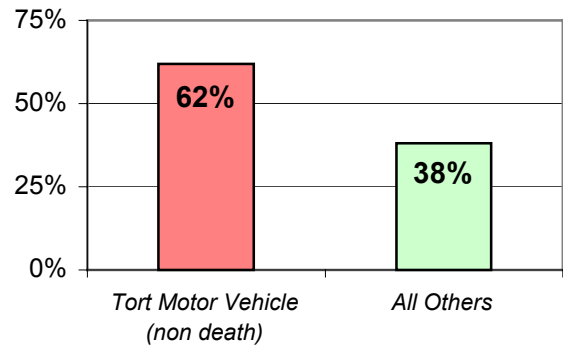
In Family Court, a relatively new Settlement Conference Program increased case referrals from an average of 14 per month last fiscal year, to an average of 40 cases per month during FY 2001. A total of 291 settlement conferences were actually held, utilizing approximately 730 volunteer hours. 71 percent of the settlement conferences held resulted in either full or partial settlements. About 220 judges *pro tempore* volunteer their time and mediation skills to conduct settlement conferences in the Civil and Family Court Departments.

# ***ALTERNATIVE DISPUTE RESOLUTION***

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**Civil Shorttrial.** The civil “shorttrial,” a modified version of a jury trial utilizing only four jurors and expedited case presentations, generally lasts a half-day. With a judge *pro tempore* presiding, counsel is given two hours to present their case and demonstrative evidence is encouraged over live testimony. Shorttrial litigants must be represented by counsel and stipulate to a binding verdict. ADR was able to expand shorttrial availability during FY 2001, with 114 cases referred and 98 of those actually held and settled, utilizing approximately 500 volunteer hours.

**Case Types of Civil Shorttrials**



“Other” types of shorttrials include contract, medical malpractice, civil, and non-motor vehicle cases.

## ***Probate Mediation Pilot Project.***

In January 2000, ADR began accepting case referrals for a Probate Mediation Pilot Project. Currently, there are 14 Probate mediators, eight lawyers, and seven non-lawyers participating in the program. Although relatively few cases were referred to the program (48), at the close of FY 2001, the pilot project had produced a 78 percent mediation settlement rate (23 mediations were held and 18 reached full settlements).

## ***Workplace Mediation Program.***

ADR continues to develop a Workplace Mediation Program, in conjunction with the Superior Court Human Resources Department. ADR has been actively involved with training workplace mediators. Full implementation of the program is expected during FY 2002.

## ***Other FY 2001 ADR Endeavors.***

ADR has supported efforts in amending a rule in Civil Procedure whereby the court may now direct parties in any action to submit their dispute to a court-authorized ADR program. Under the amended rule, parties to disputes have a duty to consider ADR, confer with one another about using an ADR process, and report the outcome of their conference to the court. The amended rule became applicable to all cases filed after December 1, 2001.

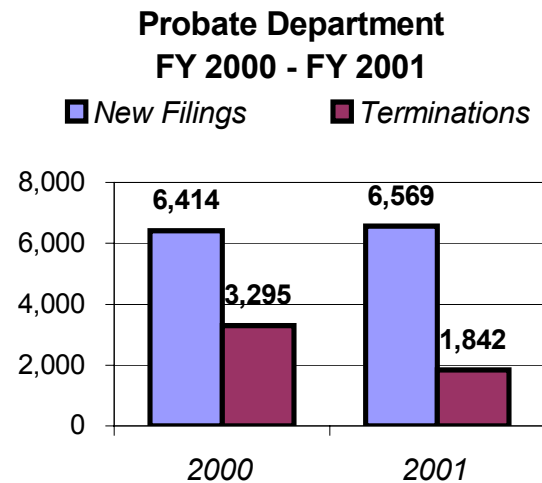
ADR offers ongoing continuing education classes to Court and Maricopa County employees through its Court-Ordered Judicial Education Training (COJET) series on conflict management and ADR alternatives. Generally, ADR presents two to three sessions per quarter, and participant evaluations of these classes have been favorable.

# ***PROBATE and MENTAL HEALTH***

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## **Probate**

The total number of new probate cases filed during FY 2001 increased approximately 2.4 percent from the previous year. Only 1,842 probate cases terminated during the year; nearly 45 percent fewer cases than the number terminated in FY 2000. Probate Estate and Trust Administration case terminations were 72 percent less than last year. Therefore, at year's end, the number of pending cases in the Probate Department was 35,493 (a 16 percent increase from the number of cases pending at the beginning of the year).



## **Probate Department Selected Operational Statistics, FY 2000 – FY 2001**

	<b>New Case Filings</b>		<b>% change</b>	<b>Case Terminations</b>		<b>% change</b>
	<b><u>FY 2000</u></b>	<b><u>FY 2001</u></b>	<b><u>2000 to 2001</u></b>	<b><u>FY 2000</u></b>	<b><u>FY 2001</u></b>	<b><u>2000 to 2001</u></b>
Estate Probates and Trust Administrations	4,208	<b>4,209</b>	0.0%	1,563	<b>434</b>	-72.2%
Guardianships and Conservatorships	2,190	<b>2,332</b>	6.5%	1,719	<b>1,405</b>	-18.3%
Adult Adoptions	<u>16</u>	<b><u>28</u></b>	75.0%	<u>13</u>	<b><u>3</u></b>	-76.9%
<b>TOTALS</b>	6,414	<b>6,569</b>	2.4%	3,295	<b>1,842</b>	-44.1%

## **Mental Health**

In FY 2001, there was an 8 percent increase in the number of new mental health cases filed compared with FY 2000. The number of mental health cases terminated during the year decreased only slightly from the previous year.

	<b><u>FY 2000</u></b>	<b><u>FY 2001</u></b>	<b><u>% change</u></b>
<b>Mental Health Case Filings</b>	1,518	<b>1,640</b>	8.0%
<b>Mental Health Case Terminations</b>	1,265	<b>1,239</b>	-2.1%

# JUVENILE COURT

During Fiscal Year 2001, new case filings and petitions in Juvenile Court decreased slightly from the previous year. However, due to a change in the law during 1999 which allowed certain citations to be filed as petitions, Juvenile Court has continued to experience a dramatic increase in the number of advisory hearings that are set and heard each month by judicial officers. Delinquency filings, citations, and severance filings all declined from the previous year, with dependency totals nearly the same, and adoptions rising substantially. A newly counted case filing category, certifications, was added to Juvenile Court totals in Fiscal Year 2001. Certifications are a legal process to approve non-related adoptive parents as eligible to adopt.

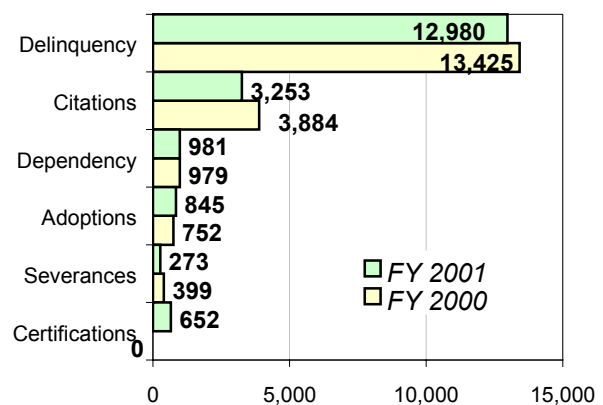
## Model Court Implementation.

Following the gradual phase-in of the Model Court case processing track, which began in 1999, all dependency petitions filed by the Arizona Department of Economic Security (DES) in Fiscal Year 2001 were in Model Court. This legislatively-mandated process provides more timely and higher quality justice for children who have been subjected to abuse, neglect, or abandonment. Highlights of the process are:

- Preliminary Protective Hearing is scheduled no later than seven days after a child is removed from a home,
- A Preliminary Protective Conference, which is non-adversarial, is conducted before the hearing to exchange information regarding placement, family services, and visitation,
- The issue of dependency must be adjudicated within 90 days of the service of petition on the parents,
- The court must determine that the case plan meets the child's needs, and
- A Permanency Planning Hearing must be scheduled sometime during the first 12 months of the date of the child's removal from the home.

In FY 2001, Preliminary Protective Hearings were conducted in 488 dependency cases (315 at the Durango Facility and 173 in the Southeast/Mesa Facility).

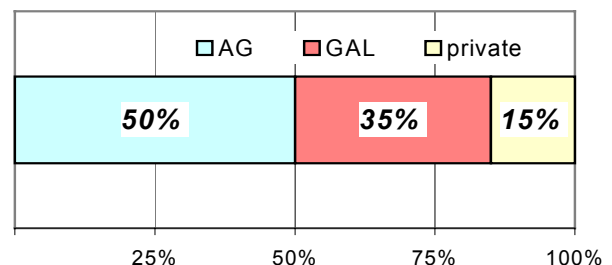
**New Filings - FY 2001 vs FY 2000**



**Allegations.** The overwhelming majority of dependency petitions (98 percent) allege that a child has been neglected. Physical abuse (17 percent), sexual abuse (7 percent), and emotional abuse (4 percent) are most often alleged, with 23 percent of all petitions containing a combination of allegations.

The Arizona Office of the Attorney General (AG), on behalf of DES, filed approximately half of all dependency petitions in FY 2001. Of those petitions remaining, 35 percent were filed by Guardians Ad Litem (GAL) and the rest by private parties.

**Dependency Petitioners - FY01 Filings**



# JUVENILE COURT

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**Indian Child Welfare Act (ICWA).** The issue of whether ICWA pertains to a dependency petition is raised early in the Preliminary Protective Conference. Approximately 8 percent of all Model Court dependency cases had ICWA issues, which included parents registered as tribal members, parents or children eligible for tribal enrollment, or further exploration was needed. Usually, well-known Arizona tribes (Navajo, Apache, Papago) were involved, but occasionally more distantly located tribal nations, such as Cherokee, Choctaw, and Sioux were represented.

## **Case Plan and Placement of the Child.**

Family reunification was the original case plan for 97 percent of Model Court cases in FY 2001. The remainder included Independent Living, Severance and Adoption, and Guardianship. When dependency cases first came to court:

- 38 percent of the children were in a shelter,
- 27 percent were located with a relative,
- 14 percent were in a foster home,
- 10 percent were in an emergency receiving home,
- 7 percent were in a group home, and
- the remaining 4 percent were either in detention, residential treatment, or runaway status.

**Services for the Family.** At the Preliminary Protective Conference there is a strong emphasis on determining what services are necessary to help reunify the family. Parents most often require services such as family counseling, substance abuse treatment, transportation services, and parenting classes. For children, counseling, after-school programs, medical and dental care, play therapy, and psycho-educational assessments are services provided. In addition, specialized Ph.D.-level counseling for sexual abuse victims can be arranged. Well over 60 percent of all cases reach some agreements about services at the Preliminary Protective Conference, including visitation agreements between parent and child.

**Dependency Adjudication.** Of all cases filed in FY 2001, 68 percent resulted in a finding of dependency, 20 percent were dismissed, and 12 percent were pending resolution at year's end. In most cases in which a dependency was found, the parties either stipulated to a dependency in mediation or submitted the issue to the court for determination. Cases dismissed were either the result of a judicial determination that statutory grounds were not met, the parties agreed to dismiss via the mediation process, or the child reached age 18 while the case was pending.

## **Juvenile Court Selected Operational Statistics, FY 2000 – FY 2001**

	<b>New Case Filings</b>		<b>% change</b>	<b>Case Terminations</b>		<b>% change</b>
	<u>FY 2000</u>	<u>FY 2001</u>	<u>2000 to 2001</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>2000 to 2001</u>
Delinquency	13,425	<b>12,980</b>	-3.3%	13,639	<b>8,147</b>	-40.3%
Citations	3,884	<b>3,253</b>	-16.2%	2,807	<b>2,154</b>	-23.3%
Dependency	979	<b>981</b>	0.0%	705	<b>944</b>	33.9%
Adoption	752	<b>845</b>	12.4%	910	<b>796</b>	-12.5%
Severance	399	<b>273</b>	-31.6%	569	<b>121</b>	-78.7%
Certifications	<u>n/a</u>	<u><b>652</b></u>		<u>n/a</u>	<u><b>638</b></u>	
<b>TOTALS</b>	19,439	<b>18,984</b>	-2.3%	17,149	<b>12,800</b>	-25.4%

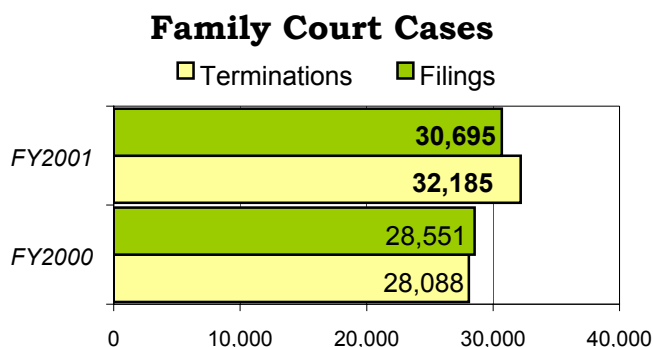


## ***FAMILY COURT***

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Fiscal Year 2001 was a very productive year in Family Court. Although new case filings increased by approximately 7.5 percent from the previous year, the total number of cases terminated increased well over 14 percent. This helped reduce the active pending caseload total by nearly 1,500 cases. The greatest growth in case filings occurred in dissolutions (divorces); with a 12.4 percent increase from the previous year. Domestic Violence Orders of Protection filings also increased substantially (10.4 percent) from FY 2000.

In order to be more proactive in Family Court cases, Department leadership confirmed a commitment to timely case processing standards and established a committee to further refine the policy and focus attention on calendar management. The Department is constantly seeking innovative ways to improve its operations and public access to Family Court. Accordingly, there are always new initiatives in the planning, development, and implementation stages. Highlights include:



***Domestic Violence Division.*** An endeavor implemented in early 2001 resulted from funding in a Family Court Enhancement Program grant. One component created a Domestic Violence division. The hiring of a Hearing Officer and staff has allowed the court to streamline the process for requesting an Order of Protection. Prior to the development of one dedicated calendar, Downtown Family Court commissioners divided this duty. Statistics indicate that during the 4<sup>th</sup> quarter of FY 2001, the new division heard 49 percent of the Orders of Protection requested, while the three Commissioner divisions combined heard the other 51 percent. The addition of the Domestic Violence Hearing Officer has enabled a very significant portion of the Orders of Protection to be channeled into one area; thereby allowing other calendars to expand, such as those dealing with defaults and IV-D. Hearings on Orders of Protection, formerly heard by judges, are also handled by the Hearing Officer, thus allowing judges more time to focus on their current caseloads and possibly reduce the time to case resolution.

***Family Court Navigator.*** The Family Court Navigator program was also established by the Enhancement Grant during FY 2001. This program provides an expedited response to inquiries, concerns, and complaints expressed by customers through correspondence, telephone calls, and in person. The initial response by the Navigator is made within 24 hours of the first contact with the litigant or party. If the issue cannot be resolved immediately and additional research is required, the Navigator continues to communicate with the customer. On-going interaction between the Navigator and the customer is essential to reaching some resolution to the issues. To support the Navigator program, the Court is in the process of developing a link to the Court web-site to introduce and explain the role of the Navigator. Additionally, a hyperlink will be developed for the public to contact the Navigator directly with any questions or concerns.

# ***FAMILY COURT***

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***Integrated Family Court.*** In response to the needs of the community and society in general, the Integrated Family Court program began operation in March 2001 at the Southeast Facility in Mesa. The concept is to have one judge hear all cases involving one family. The pilot program involves four judicial divisions, with future expansion in mind upon completion of an evaluation component. A case manager system has been developed to track and monitor cases with overlapping Family Court and Juvenile Court issues.

***Family Court Drug Program and Family Violence Prevention Center.*** These two projects are currently in development. The Family Court Drug Program, established with monies from two grants, has a work/study group conducting site visits of model family drug courts in Kansas City, Missouri and Reno, Nevada. The Family Violence Prevention Center will provide a specific location and trained personnel to assist people in completion of Orders of Protection. The Orders will be typed at the Center and transmitted to the appropriate judicial division, with social service and legal advocates available on-site as resources.

## **Family Court Selected Operational Statistics, FY 2000 – FY 2001**

	<i>FY 2000</i>	<i>FY 2001</i>	<i>FY 2000 – FY 2001</i>
	<u>Totals</u>	<u>Totals</u>	<u>% Change</u>
Dissolution Filings	15,257	<b>17,147</b>	12.4%
Other Case Filings	12,714	<b>13,548</b>	6.6%
Case Transfers In(Out)	<u>580</u>		
TOTAL CASE FILINGS*	28,551	<b>30,695</b>	7.5%
Dissolution Terminations	16,174	<b>17,591</b>	8.8%
Other Case Terminations	<u>11,914</u>	<b>14,594</b>	22.5%
TOTAL TERMINATIONS	28,088	<b>32,185</b>	14.6%
Clearance Rate <sup>1</sup>	98.4%	<b>104.9%</b>	6.5%
Active Pending Caseload	21,828	<b>20,338</b>	-6.8%

### **Domestic Violence: Orders of Protection**

Total Filings	3,454	<b>3,899</b>	12.9%
Orders Issued	3,156	<b>3,433</b>	8.8%
Orders Denied	342	<b>489</b>	43.0%

### **Domestic Violence: Requests for Hearings to Revoke/Modify Orders of Protection**

Requests	1,505	<b>1,635</b>	8.6%
Hearings Commenced	1,317	<b>1,415</b>	7.4%

### **Domestic Violence: Emergency Orders of Protection**

Total Issued	281	201	-28.5%
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<sup>1</sup> Clearance Rate equals total case terminations divided by total case filings.

## ***FAMILY COURT CONCILIATION SERVICES***

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Conciliation Services, an ancillary department within the Family Court, provides a wide array of counseling and conflict resolution services to families in transition. Conciliation Services is located at both the downtown Phoenix location and at the Southeast Superior Court complex in Mesa. The department is comprised of approximately 50 employees, with a full compliment of mental health professionals dedicated to serving the needs of Maricopa County residents. The department provides counseling, mediation, evaluation, and assessment services.

In Fiscal Year 2001, Conciliation Services experienced a 9.6 percent increase in the number of case assignments from the previous year. Although counseling case assignments were lower than last year, there was substantially increased demand for mediation and assessment services.

	<b><u>FY 2000</u></b>	<b><u>FY 2001</u></b>	<b><u>% change</u></b>
<b>Evaluation</b>	24	40	66.7%
<b>Counseling</b>	439	408	-7.1%
<b>Assessment</b>	1,128	1,381	22.4%
<b>Mediation</b>	3,476	3,726	7.2%
<b>TOTAL</b>	<b>5,067</b>	<b>5,555</b>	<b>9.6%</b>

***Early Post Decree Conference.*** In January, 2001 Conciliation Services embarked on a pilot project to address the special needs of certain case populations and to introduce another dispute resolution alternative better suited for these case types. The project was entitled *Early Post Decree Conference (EPDC)* to reflect case criteria developed for inclusion in the pilot. Judges were asked to identify post-decree cases where parents exhibited chronic conflict, repeated court appearances, inability to co-parent or cooperate, cases involving custodial interference, access/scheduling/transportation issues, etc. Parents participating in the pilot project meet with a counselor in a non-confidential setting, and the counselor attempts to mediate the dispute. If unsuccessful, the counselor provides the parties, their counsel, and the judge with recommendations as to how the dispute should be resolved. In Spring, 2001 the EPDC project expanded to the Southeast court facility, where pre-decree cases of a similar nature were added. To date, survey feedback from judges, attorneys, and parties participating in the EPDC project has been most favorable and plans for expansion continue.

### ***2001 Major Accomplishments.***

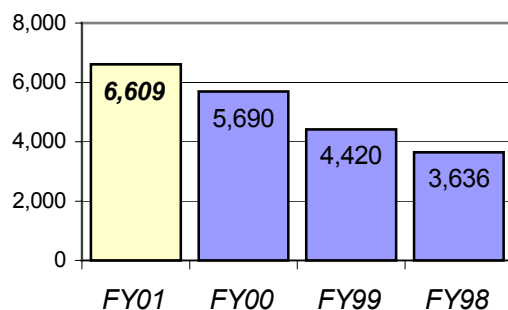
Conciliation Services underwent major growth, reorganization, and transition during the last year as it stretched to meet the burgeoning need for family assessment and conflict resolution services. Highlights are:

- Reorganization of professional staff into equal numbers of mediators and evaluators, led by a team supervisor, to enhance case coordination.
- Updated assignment and case tracking systems to ensure timely delivery of services, equitable distribution of caseloads, and greater coordination of services with pending court action.
- Case scheduling procedures were tightened and improved to provide better customer service, including a telephone link between each Family Court division and Conciliation, so that mediation appointments could be set from the bench.
- Development of a new case tracking database which will eventually network with the Family Court integrated system.
- Conciliation Services professional staff facilitated a series of “brown bag” educational programs, designed for court staff and judicial training on family-related topics.

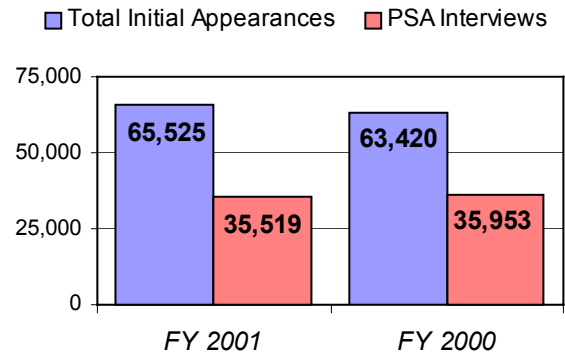
# PRETRIAL SERVICES AGENCY

The Pretrial Services Agency (PSA) provides Superior Court with defendant supervision/monitoring and information services. The agency fulfills a critical function in community safety at the earliest stages of, as well as throughout, a defendant's adjudication process. Criminal histories and other types of defendant information are collected and summarized by PSA pending initial appearance in court. This information assists Court Hearing Officers in making informed decisions regarding release, detainment, and bond determinations. Arrestees may also be granted a non-financial release on the condition of PSA supervision. Supervision services range from least restrictive (telephone contacts) to most restrictive (house arrest). PSA also reviews and submits recommendations to the Court on pretrial defendants who petition for a reduction in bond or non-financial release. The combination of services promotes community safety while alleviating taxpayer expenses associated with the escalating costs of incarcerating defendants awaiting trial.

**Defendant Monitoring Referrals**



**Initial Appearance and PSA Interviews**



During FY 2001, the 24-hour PSA *Jail Unit* interviewed approximately 54 percent of those awaiting initial appearance, which was nearly the same number as last year. However, total defendants at initial appearance increased over 3 percent from FY 2000.

Following initial appearance, defendants ordered released with supervision must report to the *Defendant Monitoring Unit (DMU)* to be supervised pending the adjudication of all charges. During FY 2001, the DMU experienced a 16 percent increase in monitoring referrals. Approximately 920 pretrial status defendants were supervised daily in the DMU, a 10 percent increase over last year. Although the DMU actually monitored fewer defendants with general supervision guidelines (which includes telephone contacts and office visits), those in need of intensive supervision (which can include more structured conditions such as drug testing) increased by nearly 75 percent (from 217 per day to 378). Much of this increase (about 50 defendants) was due to the implementation of electronic monitoring services.

# SELF SERVICE CENTER

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The Superior Court Self Service Center continues to provide Maricopa County residents with many of the tools necessary for them to represent themselves in court. Since its inception in 1995, the Self Service Center has been nationally recognized as one of the most innovative and comprehensive programs to improve public access to justice.

The Self Service Center provides three basic tools to self-represented litigants:

**Court Information.** Hours of operation, geographic location, jurisdictions, legal terminology, and court structure are all services provided to those contacting the Self Service Center.

**Court Forms and Instructions.** The Self Service Center currently has over 400 documents available to users in packets and arranged by legal process. Family Law, Domestic Violence, and Probate cases are represented.

**Rosters of Professional Service Providers.** The Center continues to provide self-represented litigants with lists of legal professionals in the community who offer help to those representing themselves in court. *Attorney rosters* contain lists of local lawyers willing to provide brief legal advice and limited services for a nominal fee. *Mediator rosters* include the names of those who are professionally trained to assist in conflict resolution, possibly avoiding costly court appearances. Rosters contain detailed information, such as office locations, hours, fee structure, experience, education, language proficiencies, and professional licensing information.

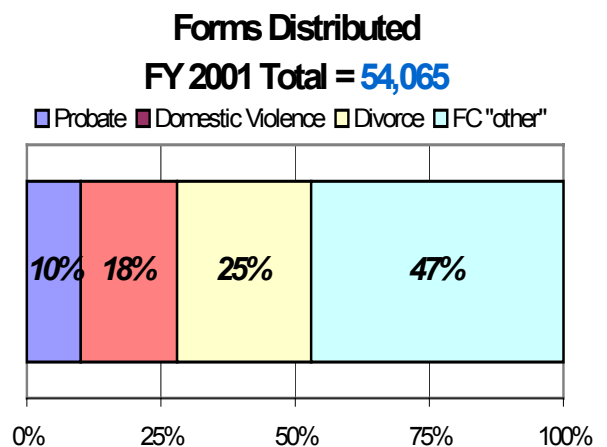
NOTE: "other" Family Court forms distributed include establishments, modifications, and enforcements.

## **Self Service Center Delivery Systems.**

- *Downtown Phoenix and Southeast (Mesa) facilities.*
- *Automated Telephone System – available 24/7 and can serve 120 callers simultaneously.*
- *Internet website always accessible – [www.superiorcourt.maricopa.gov/ssc](http://www.superiorcourt.maricopa.gov/ssc)*

## **Fiscal Year 2001 Highlights.**

- Over 50,000 customers personally visited the Downtown Phoenix or Southeast (Mesa) Self Service Centers. In addition, in excess of 200,000 other users contacted the Center via the Internet or through the Automated Telephone System.
- \$128,351 was recouped towards document printing costs through the \$1 fee charged per packet. The fee does not apply to Domestic Violence materials, per statute.



# ***LAW LIBRARY***

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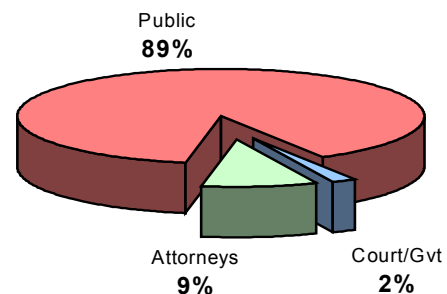
The Superior Court Law Library, a distinct department within the Superior Court of Arizona in Maricopa County, is a public court law library open to all. Access to justice is a fundamental right of every citizen and open, reliable access to legal information and knowledge is an essential element of that right. A court law library is, therefore, an integral part of the administration of justice and a vital part of the community it serves. The Law Library provides timely, efficient, and reliable access to law and justice system resources for the court, the public, the bar, and government agencies. The Law Library makes every effort to create services focused on the information needs of the user, by providing a balance of traditional and innovative information services that ensure easy and quick access to legal resources, whether locally or remotely held.

**Collections.** The Law Library comprises the main library in the downtown Phoenix East Court Building, as well as a branch library in the Southeast facility in Mesa. The Library maintains cooperative core legal collections at the Maricopa County Library District's North Central and Southeast regional libraries and at the Scottsdale Public Library. The Library continues to acquire new print resources and critically review all collections, in conjunction with statewide and area law library cooperative efforts, to efficiently allocate Library space, control continuation costs, and ensure breadth of subject content.

## ***Reference and Information Services.***

The Law Library provides reference services in response to in-house, telephone, and e-mail requests by members of the judiciary, the bar, the public, and court administration. Services vary in scope from answering simple directional questions to conducting in-depth research. Not surprisingly, reference requests received from the public comprise the overwhelming majority of all library requests. In Fiscal Year 2001, the Law Libraries collectively received over 283,000 visits from patrons, a 23 percent increase over last year.

**Reference and Information  
Services Requests  
FY 2001 Total = 38,290**



**Networked Resources.** The Library provides access to over 36 networked CD-ROM and Internet-based resources, covering over 160 databases. In FY 2001, major additions included *Hein On-Line*, a database of over 140 full text law journals, and *ABI/Inform*, a database of journals in the areas of accounting, banking, management, marketing, taxation, business law, with full text articles available for over 750 titles. The Library's online catalogue and networked resources such as *Index to Legal Periodicals*, *Public Affairs Information Service*, *Criminal Justice Abstracts*, *Shepard's Citations*, *LegalTrac*, and *CCH Research Network* are available to any Court or County government user.

# LAW LIBRARY

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## **Document Delivery Services.**

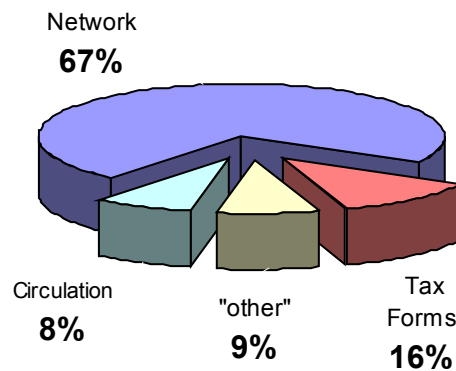
The Library offers document delivery services in a variety of formats and delivery mechanisms, from traditional circulation and self-service photocopying, to mail, fax, and e-mail based services. Network laser printing continues to be popular, with over 19,000 print jobs in FY 2001.

**Education Services.** Education and training continue to receive an important emphasis in the Library's services. Law Library staff conducted a variety of mandated COJET (Court Ordered Judicial Education and Training) classes in FY 2001, as well as Westlaw training, presentations, and Library tours. Highlights included a *Research and Resources* session for the State Bar of Arizona program *Welcome to the Real World: A Toolkit for New Lawyers*, and Library-hosted teleconferences from the Soaring to Excellence series, *Human Values in a Technological Age* and *Agents, Bots and Intelligent Dots: The Technology Behind Electronic Documents*.

**Court Research.** Law Library staff handles a variety of research and drafting requests from judicial leadership and Court Administration. Research projects in FY 2001 included civil and criminal justice/caseload trends; court technology trends; public access to court records; use of audio and video for making the court record; unsecured appearance bonds; and trends in adult corrections.

## **Document Delivery Services**

**FY 2001 Total = 26,502**



NOTE: "other" document delivery services include fax services, interlibrary loans, mail, and current awareness services.

**Current Awareness Services.** The Library offers several e-mail-based current awareness services to the Court, including summaries of U.S. Supreme Court and 9<sup>th</sup> Circuit Court of Appeals decisions, and proposed changes to Arizona court rules.

**Publications.** Law Library publications include research guides, bibliographies on courts and court management issues; *En Bans*, the Library newsletter; and *Court Informer*, a current awareness publication. In FY 2001, judges and Court staff requested over 630 documents from the five *Court Informer* issues.

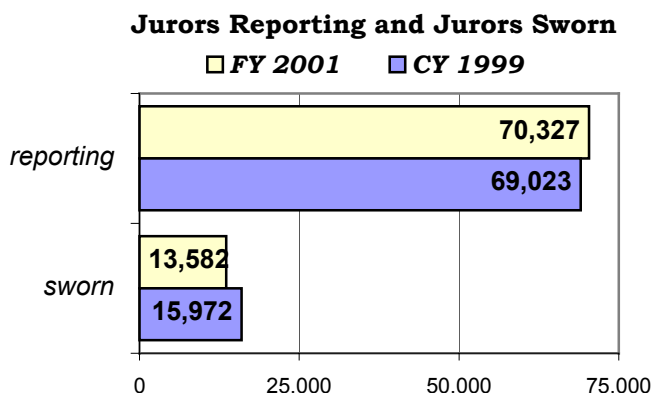


# OFFICE OF THE JURY COMMISSION

The Office of the Jury Commissioner of the Superior Court of Arizona in Maricopa County is responsible for creating a pool of qualified prospective jurors representative of the community as a whole. By law, this pool is formed every six months by merging the county's voter registration and state drivers' license files, and removing duplicate records. The resulting master lists of prospective jurors contained 1,382,449 names and addresses in July, 2000 and 1,325,204 names and addresses in January, 2001.

In addition to Superior Court, the Office of the Jury Commission also summons for 21 Justice Courts in Maricopa County, as well as for the state and county grand juries. The Superior Court also summonses jurors to ten local municipal courts and provides a source file for the U.S. District Court in Arizona. During Fiscal Year 2001, the Office of the Jury Commission mailed a total of 601,910 summonses (nearly 5 percent above the previous year), and 152,349 of those mailed were for the ten municipal courts.

Citizens called for jury service in Superior Court serve either one day or the duration of one trial. During FY 2001, nearly 20 percent of prospective jurors sent to a courtroom were actually sworn as jurors. Jurors who have served either one day or one trial will not be selected for jury duty again for a minimum of 18 months. Those sworn are entitled to \$12 per day plus mileage to and from the court complex. Juror fees and mileage paid in FY 2001 for Superior Court jurors exceeded \$2 million, plus nearly \$25,000 in juror bus passes.



## FY 2001 Jury Panel Usage Report

	<i><b><u>FY 2001</u></b></i>	<i><b><u>CY 1999</u></b></i>	<i><b><u>Percent Change</u></b></i>
	<i><b><u>Total</u></b></i>	<i><b><u>Total</u></b></i>	<i><b><u>1999 to 2001</u></b></i>
Total Jury Trials	<b>1,348</b>	1,550	-13.0%
Total Jurors Reporting	<b>70,327</b>	69,023	1.9%
Total Jurors Sworn	<b>13,582</b>	15,972	15.0%
Percent Sworn	<b>19.3%</b>	23.1%	-3.8%
Total Jurors Not Used	<b>18,500</b>	11,736	57.6%
Percent Not Used	<b>26.3%</b>	17.0%	9.3%

NOTE: Prior to FY 2001, Jury Office statistics were reported in calendar-year format.



## ***OFFICE OF THE JURY COMMISSION***

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Nineteen standards relating to juror use and management have been developed by the American Bar Association (ABA) to measure a jury system's efficiency. A comparison of three of the ABA standards with the actual figures for the Superior Court follows:

	<u>ABA Standard</u>	<u>Actual FY 2001</u>	<u>Actual CY 1999</u>	<u>Actual CY 1998</u>
<i>Percent sent to voir-dire</i>	100%	<b>75.7%</b>	88.7%	95.7%
Percent of jurors sworn	50%	<b>19.3%</b>	23.1%	25.1%
Percent of jurors not used	10%	<b>26.3%</b>	17.0%	13.9%

The Jury Commission continually measures performance, both quantitatively and qualitatively, through analysis of cost data and utilization measures from past years. This process allows the court to assess the efficiency of the jury system operation, review areas where present operations do not meet standards, suggest reasons for deficiencies, and recommend and implement strategies for improvement. The goal is to maintain a defensible, representative and efficient jury system that evokes positive attitudes in those persons who are called to serve on jury duty.

### **Demographic Summary**

The Jury Commission first began monitoring the demographic make-up of the juror pool in 1989. The figures for FY 2001 have been collected through a sample of 13,099 demographic information questionnaires completed by over 70,000 prospective jurors reporting for service. The sample represents one week of biological data collected in each of twelve months. These figures are compared with the 2000 U.S. Census figures of the population in Maricopa County.

<u>Ethnicity</u>	<u>Maricopa County Census (2000)<sup>1</sup></u>	<u>FY 2001</u>	<u>CY 2000</u>
White (non-Hispanic)	66.2%	<b>10,641</b>	81.2% 6,719
Hispanic	24.9%	<b>1,118</b>	8.5% 698
Black (non-Hispanic)	3.5%	<b>296</b>	2.3% 189
Native American	1.5%	<b>135</b>	1.0% 87
Asian	2.1%	<b>237</b>	1.8% 149
Other	1.8%	<b>672</b>	5.1% 392
<b>TOTAL</b>	100%	<b>13,099</b>	100% 8,234

<sup>1</sup> Source: 2000 U.S. Census figures for Maricopa County, Arizona.

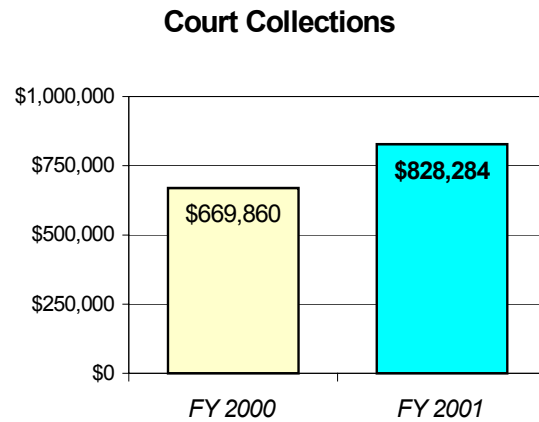
NOTE: CY 2000 data was used for comparison purposes instead of CY 1999 because computer modifications in anticipation of Y2K made data unavailable for CY 1999.

## ***COURT COLLECTIONS UNIT***

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In February 2000, the Financial Review Unit of the Pretrial Services Agency was merged with the Intensive Collections Management Program, resulting in the newly created Court Collections Unit (CCU). The merger enabled Superior Court Administration to process collections cases more efficiently and reduce the often redundant efforts that previously existed.

The CCU now actively pursues payments from defendants with outstanding financial obligations resulting from a sentencing order in Superior Court who have been released from the Adult Probation Department or the Arizona Department of Corrections. Additionally, the CCU evaluates defendants who have been appointed defense counsel to determine the defendant's ability to contribute towards the cost of their defense.



In Fiscal Year 2001, the CCU received more than 7,200 new cases, with total assessments for collection exceeding \$37.5 million. The total amount collected through the CCU was approximately \$828,000, which was nearly 25 percent more than the amount collected the previous year. Since 1993, when the court began collecting monies, the CCU has collected over \$2.5 million. The department continued to collaborate with two private collections agencies during the year to increase the amounts collected. In 2001, private agencies collected approximately \$100,000 (or about 12 percent of the total collected).

### **CCU Selected Operational Statistics – Fiscal Year 2001**

Defendants Assessed for contribution to cost of counsel	552
Amount Assessed	\$40,411
New Orders – Maricopa County Adult Probation Department	3,683
Amount Assessed	\$22,824,804
New Orders – Arizona Department of Corrections	2,969
Amount Assessed	\$14,681,024
Internal Collections	\$727,435
Private Agencies Collections	<u>\$100,849</u>
<b>Total CCU Collections</b>	<b>\$828,284</b>

## ***SUPERIOR COURT WEBSITE*** [www.superiorcourt.maricopa.gov](http://www.superiorcourt.maricopa.gov)

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The Superior Court continues to use the Internet very extensively to provide a wide variety of information to the citizens of Maricopa County, the State of Arizona, and across the United States and the rest of the world. During FY 2001, the original website was redesigned to make it more user-friendly and navigable. Information about each court department was expanded to allow website customers to more easily access public information, such as court calendars and case history information, camera request forms, court rulings, criminal case procedures, and a high profile case list. In addition, there is a glossary of legal terminology and definitions, media guidelines for cameras in the courtroom, news flashes, court programs, and Superior Court news releases. All forms and instructions available through the Self Service Center can also be accessed through the website.

Jurors summonsed to Superior Court can now change their court date via the Internet, no matter where in Maricopa County they are scheduled to appear. This jury service feature was begun in FY 2000 and became fully operational during this fiscal year.

A large part of the Superior Court's website remains dedicated to the Law Library. Research information and online research is possible through this link and exemplifies the Court's commitment to keeping access to court-related information a priority for the citizens of Maricopa County.